

THE HON'BLE SMT. JUSTICE T. MEENA KUMARI
and
THE HON'BLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No. 5603 of 2007
and
WVMP No. 973 of 2007

-
ORDER: (Per the Hon'ble Smt. Justice T. Meena Kumari)

This writ petition is filed challenging the order dated 20.2.2007 passed by the A.P. Administrative Tribunal, Hyderabad in O.A. No. 6679 of 2006.

The respondents herein filed O.A. No. 6679 of 2006 seeking a direction to absorb them as Government Railway Police Constables. The Tribunal disposed of the said O.A. with a direction to the respondents therein to continue the 1st and 3rd applicants in terms of the status quo orders passed by the Tribunal on 4.12.2006 till the applicants in O.A. Nos. 6416 of 2006 and 1672 of 2006, who are similarly placed persons to that of the applicants, are continued as Railway Police Constables and that the repatriation order passed against the applicants shall be given effect to in terms of the final orders passed by the Tribunal in O.A. Nos. 1672 of 2006 and 6416 of 2006. Aggrieved, the petitioners filed this writ petition.

Heard the learned Government Pleader for Services I for the petitioners and Sri A. Nagendra Rao for the respondents and perused the material available on record.

We find force in the contention of the learned Government Pleader for Services I that as per the Memo issued by the Director General of Police vide Memo No.22312/E2/2000 dated

27.12.2000, certain norms have been prescribed to absorb Police Constables working the Railway Police District if they relinquish their lien in their parent units and fulfil those norms and one of such norms is that they should not have crossed 35 years of age and that the petitioners have crossed the age of 35 years and therefore they are not eligible to be absorbed in the Railways. It is also to be seen that they are sent on deputation to work in the Railways. Having regard to the fact that the petitioners have crossed the age of 35 years, which disentitles them absorption as per Memo dated 27.12.2000, and that they are sent only on deputation and they have already been repatriated to their respective parent units, the order dated 20.2.2007 passed by the Tribunal in O.A. 6679 of 2006 is liable to be set aside and it is accordingly set aside.

In the result, the writ petition is allowed. In view of the same, WVMP No. 973 of 2007 stands dismissed.

T. MEENA KUMARI,

J.

G. CHANDRAIAH, J.

Date: 19-06-2007.

MVB.